

UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH DAKOTA

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In re:	*	Bankr. Case No. 10-40498
		Chapter 7
AARON RICHARD BOE,	*	
SSN: xxx-xx-0047,	*	DEBTORS' RESPONSE
	*	TO CHAPTER 7 TRUSTEE'S
and	*	MOTION FOR TURNOVER
	*	
WENDY ANITA BOE,	*	
SSN: xxx-xx-3332,	*	
	*	
Debtors.	*	

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COME NOW the Debtors Aaron Richard Boe and Wendy Anita Boe, by and through their attorney of record, and respond to the Chapter 7 Trustee's Motion for Turnover as follows:

Debtors admit that they have listed a 2008 Dodge Nitro valued at \$12,185.00 on Schedule B of their filing with the Court, and admit that after further post-petition research they have discovered that Sioux Falls Federal Credit Union did not properly note their lien at the time that the loan was given but rather noted it later on March 17, 2010. Debtors were not aware of this until after the filing of their bankruptcy petition. Debtors state that they have exempted \$2,185.00 of the value of that vehicle as part of their personal property exemptions, as detailed on Schedule C of their filing. As a result, Debtors agree that they are \$10,000.00 over on the non-exempt personal property assets that they are retaining through their Chapter 7 Bankruptcy. Therefore, Debtors are willing to turn over \$10,000.00 to the Chapter 7 Trustee in order to retain their remaining interest in the 2008 Dodge Nitro as it is their only means of transportation. Debtors will be able to turn over the \$10,000.00 to the Trustee within 90 days after an Order by the Court.

WHEREFORE, Debtors pray that the Court allow the Debtors 90 days from the date of said Order to turn over the \$10,000.00 to retain the asset stated above, and for such other and further relief as the Court deems appropriate.

Dated this 9th day of September, 2010.

GERRY & KULM ASK, PROF. LLC

BY: /s/ Laura L. Kulm Ask
LAURA L. KULM ASK
Attorney for Debtors
507 West 10th Street, P.O. Box 966
Sioux Falls, SD 57101-0966
Telephone: (605) 336-6400
Facsimile: (605) 336-6842
Email: ask@sgsllc.com